IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWELFTH DAY OF SEPTEMBER
TWO THOUSAND AND TWELVE

PRESENT
THE HON'BLE MR JUSTICE G.V.SEETHAPATHY

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CIVIL REVISION PETITION Nos.4275/2000, 4262/2000, 2767/2001, 1503/2011, 4156/2012 & 4157/2012

Between:

Vema Reddy Sundarrami Reddy and others

.....
PETITIONERS

AND

State of Andhra Pradesh,
Rep.by the Authorised Officer,
(Special Tahsildar) L.R. Nellore

.....RESPONDENTS

The Court made the following:

THE HON'BLE MR JUSTICE G.V.SEETHAPATHY

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CIVIL REVISION PETITION Nos.4275/2000, 4262/2000, 2767/2001, 1503/2011, 4156/2012 & 4157/2012

COMMON ORDER:

These revision petitions are directed against the orders dated 19.06.1999 in L.R.A.Nos.1 to 6 of 1992 on the file of the Land Reforms Appellate Tribunal, Nellore, wherein the appeals filed by the petitioners

herein were dismissed confirming the orders of the Land Reforms Tribunal (Primary Tribunal) with regard payment of compensation to the Palmyra trees @Rs.11.50 ps per tree.

Heard the learned counsel for the petitioners, the learned Government Pleader for Arbitration appearing for the respondents and perused the record.

It is not disputed that the petitioners were declared to be the excess landholders and they surrendered the surplus land. The only dispute is regarding payment of compensation for the Palmyra trees stated to be existing on the land as on the date of surrender. The District Forest Officer fixed the compensation @Rs.11.50 ps for each tree and the Primary Tribunal directed payment of the said compensation. Aggrieved by the same, the petitioners preferred appeals claiming compensation @Rs.50/- per tree. The Land Reforms Appellate Tribunal dismissed the appeals holding that the compensation was fixed as per the rules.

The only contention of the learned counsel for the petitioners is that as on the date of surrender, the market value of each tree was Rs.50/- and the same ought to have been taken into consideration. Section 15 of the A.P.Land Reforms (Ceiling on Agricultural Holdings) Act, 1973, for short “the Act”, deals with payment of compensation and states that the amount payable for any land shall be a sum calculated at the rates specified in the Second Schedule. Rule-3 of the Second Schedule contemplates that where the land contains any fruit bearing trees or permanent structures, the amount payable therefor shall be calculated in such manner as may be prescribed.

Admittedly, as per the procedure prescribed, the value of the trees have to be assessed based on seignorage rates notified by the District Forest Officer. Accordingly, the compensation for trees has been fixed @Rs.11.50 ps per tree based on the seignorage rates notified by the

District Forest Officer and thus, the same is in accordance with the procedure prescribed. The contention of the petitioners that the compensation shall be payable as per the market value is therefore untenable.

The impugned orders dismissing the appeals filed by the petitioners do not therefore call for any interference, and these Civil Revision Petitions are accordingly dismissed. Pending miscellaneous petitions, if any, shall stand dismissed in consequence. No order as to costs.

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G.V. SEETHAPATHY, J

Dated: 12.09.2012
Dsr